

UNITED STATES DISTRICT COURT

Northern District of California

Motor Works, LLC,

08-03608 RS

Plaintiff(s),

**NOTICE RE: NONCOMPLIANCE
WITH COURT ORDER**

v.

Safer Technologies, Inc.,

Defendant(s).

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at www.adr.cand.uscourts.gov.)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16th Floor, San Francisco, California), or by PDF attachment
2 to an e-mail directed to adr@cand.uscourts.gov.

3
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if
5 required, to occur before the Case Management Conference.

6
7
8 Dated: November 7, 2008

9 RICHARD W. WIEKING
10 Clerk
by: Lisa M. Salvetti

11 
12 _____
13 ADR Administrative Assistant
14 415-522-2032
15 lisa_salvetti@cand.uscourts.gov
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

Case Name: Motor Works, LLC v. Safer Technologies, Inc.

Case Number: 08-03608 RS

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program
United States District Court
Northern District of California
450 Golden Gate Avenue Floor 16
San Francisco, CA 94102

On November 7, 2008, I served a true and correct copy of:

Notice Re: Noncompliance With Court Order

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Robert Chipley Weems
Weems Law Offices
Fair-Anselm Blvd
751 Center Blvd
2ND Floor W
Fairfax, CA 94930
rcweems@comcast.net

Peter Edward Root
Dewey & LeBoeuf LLP
1950 University Avenue
Suite 500
East Palo Alto, CA 94303
proot@dl.com

Kent J Trembly
Post Office Box 166
Ithaca, NE 68033

[] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[x] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

Kent J Trembly
Post Office Box 166
Ithaca, NE 68033

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on November 7, 2008 in San Francisco, California.

RICHARD W. WIEKING
Clerk

by: Lisa M. Salvetti



ADR Administrative Assistant
415-522-2032
lisa_salvetti@cand.uscourts.gov